

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND**

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

W.P.No.16322 of 2019

Date: 05.08.2019

Between:

Bobbili Linga Prasad

...Petitioner

and

The State of Telangana,
Rep. by its Principal Secretary,
Home Department, Secretariat,
Hyderabad and others.

...Respondents

Counsel for the petitioner: Mr. Rapolu Bhaskar

**Counsel for the respondent Nos.1 to 4: Mr. Santosh Kumar
Government Pleader**

The Court made the following:

ORDER: *(per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)*

Mr. Bobbili Linga Prasad, the petitioner, has filed this Habeas Corpus Petition, ostensibly on the ground that his wife, Mrs. Bobbili Archana, is being illegally detained by her parents.

According to the petitioner, he and Mrs. Bobbili Archana got married on 10.05.2019 at Arya Samaj, Yellamma Temple, Balkampet, Hyderabad. However, subsequently, on 18.05.2019 his in-laws took away his wife. Ever since then, they are illegally detaining his wife. Hence, the present petition.

By order dated 02.08.2019, this Court had directed the respondent No.4 to produce Mrs. Bobbili Archana before this Court. Consequently, today, Mrs. Bobbili Archana has been produced before this Court.

This Court has spoken to Mrs. Bobbili Archana. She informs this Court that although she had married the petitioner on 10.05.2019, ever since then, the petitioner has been demanding dowry from her, and from her family members. She further claims that he has physically assaulted her. On 18.05.2019, she had informed her parents about the ill-treatment at the hands of the petitioner. Therefore, the parents have taken her to their house. Presently, she is living happily with her parents at the parental home. She further informs this Court that she has no desire to go back to her matrimonial home, and to live with the petitioner. *Lastly*, she informs this Court that she is twenty-one years old and she had completed her B.Tech.

Considering the statement made by Mrs. Bobbili Archana, who happens to be a major person, this Court is of the opinion that Mrs. Bobbili Archana is living with her parents out of her own

free will. Hence, her custody with her parents is not an illegal one. Therefore, the respondent No.4 is directed to restore the custody of Mrs. Bobbili Archana to her parents.

With these directions, the writ petition stands disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

(RAGHVENDRA SINGH CHAUHAN, CJ)

(Dr. SHAMEEM AKTHER, J)

Date: 05.08.2019
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